

APPENDIX

D



REPEAT OFFENDER STATISTICS			
	2002	2003	2004
904C Plate Confiscations	22,065	22,312	20,800
Ignition Interlock	3,952	4,193	3,973
Court Ordered Immobilizations	4,782	3,964	2,679
Court Ordered Vehicle Forfeitures	28	31	16
Vehicles Sold	6,759	6,716	4,249
303 Revoked/Denied	16,960	15,745	14,460
904 Aditionals	98,277	95,328	78,803
DWLS Resulting in Death/Injury	20	18	13
Child Endangerment	451	422	346

Index of Repeat Offender Legislation & Related Section Amendments

1998-01/01/01

(only the most current section included and referenced)

Sec. 625g	Sec 625g permits	Sec. 322	Hearing officer; powers and duties
Sec. 682b	Allowed Occupant Under the Age of 18 in Open Bed of Pickup Truck	Sec. 625k	Ignition interlock device cert.
764.9f Code of Crim Pro	Appearance Ticket; 93-day offenses	Sec. 622a	Ignition interlock device; included in crash report
Sec. 625b	Arraignment, screening and mandatory treatment, time, rights	Sec. 625l	Ignition interlock enforcement crimes
Sec. 727	Arrest without warrant – 93-day for offenses	Sec. 625o	Ignition interlock manufacture-bond
764.9c Code of Crim Pro	Arrest without warrant for 93-day offenses; appearance ticket	Sec. 233(6)	Illegally Acquired Vehicle Subject o Registration Denial
Sec. 625a	Blood/Chemical Test & PBT	Sec. 904f	Immobilization and paper plates on LEIN
Sec. 258	Cancellation or registration; grounds	Sec. 904d	Immobilization penalties
Sec. 625m	CDL/.04 BAC for CMV	Sec. 904e	Immobilization: manner, storage, removal, enforcement
Sec. 319b	CDL: suspension/revocation; refusal of chemical test; conditions.	Sec. 625c	Implied Consent (IC) law
Sec. 323	Circuit Court restoration appeal	Sec. 23b	Juvenile disposition is defined
Sec. 727c	Citation is defined; mandatory components	750.382 Penal Code	Malicious Destruction of Property; turfing
117.3 Home Rule City Act	City Charter requirements	Sec. 319	Mandatory license suspensions or restrictions; grounds
117.4 Home Rule City Act	City Charter requirements	436.1703 Liquor Control	Minor in Possession
78.24 Home Rule Village Act	City Charter; 93-day offenses	Sec. 619	Notice of home address to law enforcement at crash
764.1 eCode of Crim Pro	Complaint Certification	Sec. 320a	Number of points for convictions
Sec. 732	Conviction abstract requirements	Sec. 625 (4)(a) Sec. 625 (4)(b)	Operating Under the Influence of Liquor Causing Death Operating Under the Influence of Liquor Causing Death of Emergency Responder
Sec. 8a	Conviction is defined	324.81134 NREPA	Operation of ORV while intoxicated
Sec. 204b	Conviction of attempted violation; effect	Sec. 240	Owner of vehicle not responsible after bona fide sale
769.1 Code of Crim Pro	Court may order reimbursement	Sec. 320e	Payment of reinstatement fee; law in effect at time of offense; action
Sec. 310d	DA probationary driver program	Sec. 904c	Plate confiscation; duties of police
761.1 Code of Crim Pro	Definition of terms; minor offense	Sec. 44a	Probate court disposition is defined
600.8511 RJA	District Court Magistrate: duties; 93-day offenses	Sec. 222	Registration certificate and certificate of title contents
Sec. 320b	Driver safety school	Sec. 219	Registration: refusal and transfer. Title: refusal of title or salvage cert.
Sec. 204a	Driving records; certified records as evidence	Sec. 303	Revocation/Denial of driver license
Sec. 625	Driving while intoxicated	750.367c Penal Code	Theft of Motor Vehicle Fuel
Sec. 904	Driving While License Suspension/Revocation	41.181 Charter Twp Act	Township Ordinance Authority
333.7408a Public Health	Drug Crime Licensing Sanctions	41.183 Charter Twp Act	Township Ordinance Local Authority
Sec. 625i	Drunk Driving Audit	41.184 Charter Twp Act	Township Ordinance Local Authority
Sec. 625h	Equipment and Case Flow Assistance Funds	41.185 Charter Twp Act	Township Ordinance Local Authority

Sec. 321a	FAC/FCJ	42.21 Charter Twp Act	Township Ordinance Local Authority
Sec. 667a	Failed to Stop at Railroad Crossing with Monitoring Device	Sec. 233	Transfers of title or interest: plates and immobilization; effect
Sec. 653a(3)	Failure to Yield to Emergency Responder Causing Injury	Sec. 624b	Transportation/Possession of liquor by person under 21
Sec. 653a(4)	Failure to Yield to Emergency Responder Causing Death	Sec. 624a	Transportation/Possession of Open Intoxication
752.192 Felonious Driving	Felonious Driving; suspension of license	Sec. 605	Uniform application of laws
28.243 Crim ID & Record	Fingerprints; 93-day offense	78.23 Home Rule Village	Village Charter; 93-day offenses
Sec. 602a	Fleeing and Eluding	66.2 Gen. Law Village Act	Village Ordinance Local Authority
750.479a Penal Code	Fleeing and Eluding	66.4 Gen. Law Village Act	Village Ordinance Local Authority
Sec. 625n	Forfeiture	Sec. 625	Driving While Intoxicated
Sec. 315(4)	Fraudulent Change of Address	Sec. 904	Driving While License Suspension/Revocation

REPEAT OFFENDER MATRIX

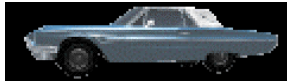
DRIVING DURING TRAFFIC SAFETY <i>OR</i> FAC/FCJ SUSPENSION/REVOCATION*						
(within 7 years)						
FREE	1 ST OFFENSE	2 ND OFFENSE	3 RD OFFENSE	4 TH OFFENSE	5 TH OFFENSE	
FAC/FCJ ONLY	EITHER	EITHER	EITHER	EITHER	EITHER	
	LIKE OR 30-DAY SUSPENSION OR REVOCATION	LIKE OR 30-DAY SUSPENSION OR REVOCATION	LIKE OR 30-DAY SUSPENSION OR REVOCATION	LIKE OR 30-DAY SUSPENSION OR REVOCATION	LIKE OR 30-DAY SUSPENSION OR REVOCATION	MANDATORY ADDITIONAL PURSUANT TO 904
			YES Mandatory	YES Mandatory	YES Mandatory	VEHICLE PLATE CONFISCATION 904c(1)
	(Mandatory for 904 (4) & (5))	Up To 180 Days Permissive	90-180 Days Mandatory	90-180 Days Mandatory	1-3 Years Mandatory	IMMOBILIZATION 904d
				YES Mandatory	YES Mandatory	REGISTRATION DENIAL OF VEHICLE USED IN OFFENSE 219

DWLS 904 - Death (4) and Injury (5) includes possible forfeiture.

DRUNK DRIVING - SECTION 625						
(Excludes "Knowingly Allow" 625(2))						
	1 ST OFFENSE	2 ND OFFENSE within 7 years	3 RD OFFENSE or More w/i 10 years			
		YES Mandatory	YES Mandatory			VEHICLE PLATE CONFISCATION 904c(1)
	Up To 180 Days [Mandatory for 625 (4) & (5); or if prior 653a(3) conviction]	90 - 180 Days Mandatory [priors include 653a(3)]	1-3 Years Mandatory [priors include 653a(3)]			IMMOBILIZATION 904d
	[Permissive for 625 (4), (5)or(7); or if prior 653a(3) conviction]	Permissive [priors include 653a(3)]	Permissive [priors include 653a(3)]			FORFEITURE 625n
			YES Mandatory			REGISTRATION DENIAL OF VEHICLE USED IN OFFENSE 219

Prepared by: Michigan Department of State, Driver Assessment and Appeal Division 05/2005

Co-owner Relationship to Immobilization/Registration Denial -625 Chart



Vehicle co-owned by Sam and Diane

Vehicle co-owned by Sam & Diane

Vehicle owned only by Diane or employer

Non-offending Vehicle - Not driven by Sam	Offending Vehicle - Driven by Sam	Offending Vehicle - Driven by Sam
<p style="text-align: center;">***</p> <p>No registration renewal, no sell or transfer to family unless ordered by the court for any vehicles owned by Sam and Diane until Sam is relicensed (restricted). Registration denial applies to all vehicles owned or co-owned by persons suspended/revoked for 3rd 625</p>	<p style="text-align: center;">2nd Drunk Driving (625 offense)</p> <p style="text-align: center;">Plate confiscation ***</p> <p style="text-align: center;">Immobilized 90-180 days (Sam is “owner” even if Diane is co-owner & it must be immobilized, Sec. 904d(4).) ***</p> <p>While immobilized, no transfer or sell of this vehicle to family member unless ordered by the court. May sell to non-family if not circumventing.</p> <p style="text-align: center;">3rd Drunk Driving (625 offense)</p> <p style="text-align: center;">Plate confiscation ***</p> <p style="text-align: center;">Immobilized 1-3 years ***</p> <p>No registration renewal, no sell or transfer to family unless ordered by the court for any vehicles owned by Sam and Diane until Sam is relicensed (restricted). Registration denial applies to all vehicles owned or co-owned by persons suspended/revoked for 3rd 625</p>	<p style="text-align: center;">2nd or 3rd Drunk Driving (625 offense)</p> <p style="text-align: center;">Plate confiscation ***</p> <p style="text-align: center;">Immobilized: 2nd 90-180 days, 3rd 1-3 years (As Sam is not on title, court must find Diane knowingly allowed him to drive intoxicated to order immobilization.)</p> <p style="text-align: center;">***</p> <p>No registration denial for non-offender, sole owner.</p>

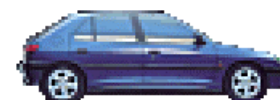
Co-owner Relationship to Immobilization/Registration Denial- 904 Chart



Vehicle co-owned by Sam and Diane



Vehicle co-owned by Sam & Diane



Vehicle owned only by Diane or employer

Non-offending Vehicle-Not driven by Sam	Offending Vehicle - Driven by Sam	Offending Vehicle - Driven by Sam
<p>***</p> <p>No registration renewal, no sell or transfer to family unless ordered by the court for any vehicles owned by Sam and Diane until Sam is relicensed (restricted). Registration denial applies to all vehicles owned or co-owned by persons suspended/revoked for 4th 904 (219(1)(d))</p>	<p>2nd DWLS/Expired (904 Offense) Immobilization 0 - 180 possible</p> <p>3rd DWLS/Expired (904 offense) Plate confiscation * * * Immobilization 90-180 days (Sam is “owner” even if Diane is co-owner & it must be immobilized, Sec. 904d(4).) * * *</p> <p>While immobilized, no transfer or sell of this vehicle to family member unless ordered by the court. May sell to non-family if not circumventing.</p> <p>4th or 5th DWLS/Expired (904 offense) Plate confiscation * * * Immobilized: 4th 90-180 days 5th 1 - 3 years * * *</p> <p>No registration renewal, no sell or transfer to family unless ordered by the court for any vehicles owned by Sam and Diane until Sam is relicensed (restricted). Registration denial applies to all vehicles owned or co-owned by persons suspended/revoked for 4th 904 (219(1)(d))</p>	<p>3rd, 4th, or 5th DWLS/Expired (904 offense) Plate confiscation * * * Immobilization: 3rd & 4th 90-180 days, 5th 1 - 3 years (As Sam is not on title, court must find Diane knowingly allowed him to drive suspended/revoked to order immobilization.)</p> <p>***</p> <p>No registration denial for non-offender, sole owner.</p>

Immobilization Chart MCL 257. 904d & 904e

Alcohol*

	1st	2nd <i>within 7 years</i>	3rd or more <i>within 10 years</i>
OWI OWVI Child Endangerment OWI/UBAC/Death OWI/UBAC/Injury	Up to 180 days	90-180 days	1-3 years
Person Under 21 with BAC	None	None	None
Failure to Yield /Injury/ Emergency Responder	None	None	None

*Priors include: Murder or Manslaughter with vehicle, 625m, Neg Hom & all those listed above. MCL 257.904d (8).

- OWI Operated While Intoxicated
- OUID Operated Under Influence Drugs
- UBAC Unlawful Blood Alcohol Content
- OWVI Operating While Visibly Impaired

Driving While License Suspended/Revoked/Denied**

	1 prior 904 additional	2 prior 904 additional <i>within 7 years</i>	3 prior 904 additional <i>within 7 years</i>	4 prior 904 additional <i>within 7 years</i>	5 or more prior 904 additional <i>within 7 years</i>
Any conviction/civil infraction during a suspension/revocation	None	Up to 180 days	90-180 days	90-180 days	1-3 years
DWLS/R/ Death or Injury	Up to 180 days	Up to 180 days	90-180 days	90-180 days	1-3 years

** Prior additional are defined as additional mandatory suspensions imposed pursuant to MCL 257.904 (10) (11) (12) or former MCL 257.904 (2) or (4) for driving during a period of suspension or revocation – not prior convictions for DWLS/Revoked.

- DWLS/R Drove While License Suspended/Revoked

General Requirements:

Defendant must provide VIN # and plate # to court
 Immobilization starts after imprisonment
 Immobilization applies if defendant is owner, co-owner, lessee or co-lessee
 If defendant is not the owner, immobilization applies if owner knowingly permitted defendant to operate vehicle
 Does not apply to vehicle registered in another state
 Immobilization is defined in MCL 257.904e

Prepared By Michigan Dept of State/ Driver Assessment and Appeal Division 05/2005

NEW STATUS MESSAGE

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RUBY FRUBY 07/03/1970 F 4-11 130 BRO IMAGE
4318 NEWBIE ST D-OPER 02/15/2004 2006
VARUBIE MI 48867-3610

001 PRIOR ALCOHOL VIOLATIONS [625] OR MURDER, MANSLAUGHTER, NEG HOM
 WITH A VEHICLE

000 PRIOR ADDITIONAL SUSPENSION/REVOCATIONS [904 (10), (11) OR (12)]; IF
 ARRESTING FOR 2ND OR MORE ALCOHOL [625] OR DWLS (DURING ANY TYPE
 OF SUSP/REV) WITH 2 OR MORE PRIOR MANDATORY ADDITIONAL
 SUSPENSIONS/REVOCATIONS, PLATE CONFISCATION IS REQUIRED. DESTROY
 THE PLATE AND ISSUE A PAPER PLATE.

DO NOT CONFISCATE DEALER, MANUFACTURER, OUT-OF-STATE, RENTAL,
TRAILER, TRIBAL, US GOVERNMENT, OR APPORTIONED (IRP) PLATES.

-----MCL 257.904c-----

RECORD CLEAR

**A police agency running this inquiry would confiscate the license plate and issue a paper plate if
arresting for a 2nd drunk driving.**